

**CITY OF EL PASO, TEXAS
REQUEST FOR COUNCIL ACTION (RCA)**

DEPARTMENT: Financial Services

AGENDA DATE: October 18, 2005

CONTACT PERSON/PHONE: Byron Johnson, Deputy Director of Financial Services (X4313)

DISTRICT (S) AFFECTED: 3

PROJECT NAME/SOLICITATION NO. Fire Station No. 20 Driveway Repairs, Solicitation No. 2005-280

SUBJECT:

THAT the action of the Acting City Manager and the Deputy Director of Financial Services in connection with the issuance of an Emergency Authorization to BXW Electrical Rebuilders Inc., in the amount of \$79,250.00, for emergency repairs and replacement of the exterior driveway and concrete slab in the apparatus room at Fire Station No. 20, is ratified.

Financial Services received a transmittal from Engineering Department on August 22, 2005 requesting an emergency procurement for Fire Station # 20, per August 15, 2005, letter from Fire Chief Rivera to City Manager. Acting City Manager gave emergency Authorization, on August 26, 2005. On September 1, 2005 emergency repairs contract was originally awarded to Tirayan Construction, in the amount of \$87,981.26., but the contractor was unable to do the job. On September 19, 2005 Engineering and Fire departments awarded the driveway contract to BXW Electrical Rebuilders Inc., in the amount of \$79,250.00. BXW Rebuilders was given Notice to Proceed on September 27, 2005. This project's scheduled completion date is October 26, 2005.

BACKGROUND / DISCUSSION:

Resolution, Fire Department Emergency Request Letter, Scope of Work, Bid Tabulation, Recommendations & Letter of award

PRIOR COUNCIL ACTION:

Budget Transfer 2005-1536, appropriating \$90,000 for a project called Fire Station 20, approved by City Council on August 30, 2005.

AMOUNT AND SOURCE OF FUNDING:

\$87,200.00 Funding is provided in 31250202 – PFI05002 – 27210 - 508027.

This project is funded by FY 2001 Certificates of Obligation.

BOARD / COMMISSION ACTION:

N/A

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) _____ **FINANCE:** (if required) _____

DEPARTMENT HEAD:

(Example: if RCA is initiated by Purchasing, client department should sign also)
Information copy to appropriate Deputy City Manager

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

DATE: October 10, 2005
TO: Municipal Clerk
FROM: Byron E. Johnson, C.P.M.
Deputy Director of Financial Services - X4313
THRU: Rachel Johnson
Clerk Typist II – X4162

Please place the following item on the **REGULAR** agenda for the Council Meeting of
OCTOBER 18, 2005:

THAT the action of the Acting City Manager and the Deputy Director of Financial Services in connection with the issuance of an Emergency Authorization to BXW Electrical Rebuilders Inc., in the amount of \$79,250.00, for emergency repairs and replacement of the exterior driveway and concrete slab in the apparatus room at Fire Station No. 20, is ratified.

Contact Person: Byron Johnson, C.P.M., Deputy Director of Financial Services at (915) 541-4313

AGENDA FOR: **OCTOBER 18, 2005**

RESOLUTION

WHEREAS, on August 26, 2005, the Acting City Manager and the Deputy Director of Financial Services issued an Emergency Authorization to contract for the repair and replacement of the exterior driveway and concrete slab in the apparatus room at Fire Station No. 20, located at 8301 Edgemere Blvd. El Paso, Texas (the "**Contract**");

WHEREAS, on September 1, 2005, the Contract was awarded to Tirayan Construction, but subsequently it was determined that Tirayan Construction would be unable to do the work under the Contract;

WHEREAS, on September 19, 2005, the Engineering Department and Fire Department recommended award of the Contract to BXW Electrical Rebuilders Inc., in the amount of \$79,250.00; and

WHEREAS, the City Council of the City of El Paso finds that the present case qualifies for an exemption to the competitive bidding or competitive proposals requirements of Chapter 252 of the Texas Local Government Code (the "**Code**") under Section 252.022(a)(3) of the Code, since this is "a procurement necessary because of unforeseen damage to public machinery, equipment, or other property."

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the action of the Acting City Manager and the Deputy Director of Financial Services in connection with the issuance of an Emergency Authorization to BXW Electrical Rebuilders Inc., in the amount of \$79,250.00, for emergency repairs and replacement of the exterior driveway and concrete slab in the apparatus room at Fire Station No. 20, is hereby ratified.

ADOPTED this _____ day of _____, 2005.

CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
Municipal Clerk

APPROVED AS TO FORM:

Jorge Villegas
Assistant City Attorney

APPROVED AS TO CONTENT:

Byron E. Johnson, C.P.M.
Deputy Director, Financial Services

TIC 8/24/05

EL PASO FIRE DEPARTMENT



JOHN COOK
MAYOR

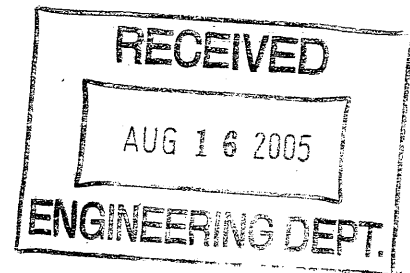
CITY COUNCIL
ANN MORGAN LILLY,
DISTRICT 1
SUSANNAH M. BYRD,
DISTRICT 2
ALEXANDRO LOZANO,
DISTRICT 3
MELINA CASTRO,
DISTRICT 4
PRESI ORTEGA, JR.,
DISTRICT 5
EDDIE HOLGUIN JR.,
DISTRICT 6
STEVE ORTEGA,
DISTRICT 7
BETO O'ROURKE,
DISTRICT 8

JOYCE WILSON
CITY MANAGER

ROBERTO RIVERA
FIRE CHIEF

August 15, 2005

Joyce Wilson, City Manager
2 Civic Center Plaza
El Paso, Texas 79901



Dear Ms. Wilson,

I am taking this opportunity to inform you of an existing emergency at Fire Station 20, 8301 Edgemere Blvd. The apparatus driveway at the station has become unusable due to the collapse and breaking up of the driveway surface.

Also, the concrete slab inside the station has been compromised due to the weight of the newer apparatus. City Engineering has done a cost estimate (\$ 86,599) to do the repair work to the driveway and complete apparatus floor. Their recommendation is a complete replacement of both areas with properly reinforced concrete. Cost estimates attached.

I am requesting emergency funds to address these safety issues at Fire Station 20. Currently we have Quint 20 and Pumper 20 parked outside at the rear of the station. I need to expedite these emergency repairs to reduce weather exposure to the apparatus and to ensure safe working conditions at the station.

If you have any questions, members of my planning staff and I are available to answer them.

Sincerely,

Roberto Rivera

Roberto Rivera
Fire Chief

*Forwarded to
Beth Connor
to process*



CITY ENGINEERING DEPARTMENT

Cost Estimate: (For Programming Purposes Only)

DATE: 7/25/2005

DIST #: 3

PROJECT: Fire Station No. 20 Driveway Improvements.

LIMITS: Improvements will include existing driveway and concrete slab in the apparatus room

AREA: 10948 SQFT

SCOPE: The project consists of the placement of new driveway and new concrete slab

"Excellence through Teamwork"

PROJECT COST SUMMARY

	Construction Cost	\$ 76,636.50
10.00%	Contingency	\$7,664
	Design Fees (Includes Public Artist, TDLR, Surveying, Geotechnical Investigation fees.)	\$0
	Program Management	\$0
	Construction Management	\$0
3.00%	Testing Cost	\$2,299
	Community Awareness Program	\$0
	Public Arts Fee	\$0
	Land Acquisition	\$ -
	Utility Relocation Cost	
	E P W U SEWER LINE (100% Participation Cost)	\$ -
	E P W U WATER LINE (100% Participation)	\$ -
	TEXAS GAS COMPANY (0% Participation)	\$ -
	El Paso Electric Co. (0% Participation Cost)	\$ -
	Total Project Budget	\$86,599

Design Division

Rick Conner, City Engineer

Javier Reyes, P.E.

Pat Adauro, Deputy CM for Building & Planning

Financial Authority Endorsement

User Department

Prepared by: Johanes S. Makahaube, P.E.

Reviewed by

Note:

FIRE STATION NO. 20-DRIVEWAY IMPROVEMENTS

Solicitation No. 2005-280
Scope of Work

BASE BID

The Fire Station No. 20-Driveway Improvements consist of providing all labor, equipment, material and incidentals to construct

BASE BID

The demolition work consists of removing and disposing off-site, an existing drive way and the concrete slab in the apparatus room. The improvements consist of constructing a concrete driveway and slab.

The project will be accomplished as shown below or as approved by the City of El Paso Engineering Department and Fire Department. All work shall begin at Notice to Proceed, and must be completed within the indicated time frame.

- The contractor shall include an approved traffic control plan for construction.
- A single Notice to Proceed shall be issued for the entire project and liquidated damages shall apply at the end of the project duration.

Prior to commencement of any work contractor should submit and obtain approval from El Paso Engineering Department for the Sequence of Construction, Schedule of Work, Traffic Control Plan, and Haul/Waste Route to an approve disposal site. Contractor shall provide written approved documentation from the owner or operator of the waste site.

The description of this scope of work, as shown above, is only a general overview of this project. Contractor shall refer to the project plans and specifications for further information.

This is a Lump Sum Project.

FIRE STATION NO. ~~20~~ DRIVEWAY IMPROVEMENTS

Pre-Bid: 9/16/05

TIME 3:00 P. M. @ Fire Station No. 20

BID OPENING:

DATE: 9/19/05

TIME: 10:00 A. M.

LOCATION: City Hall, 2 Civic Center Plaza, 7th Floor
Financial Services, Construction Bidding Office

CONTRACTORS:

CONTRACTOR	BID AMOUNT	CONTRACTOR	BID AMOUNT
Con-Tex Construction Co. P O Box 2001 Sunland Park N. M. (Mobile) 346-5808 (505) 589-2011 Fax (505) 1945	82,190. ⁰⁰		
CH & JM Construction, Inc. 11315 Sheffield Dr. El Paso, TX 79927 Tel. 858-4269 Fax 858-7422 (Carlos Hernandez)			
BXW Rebuilders 4020 A. Hayes El Paso, Texas 79930 Tel. 565-1988 Fax 562-4599	BXW 79,250. ⁰⁰		

RECOMMENDATION

JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER

ROBERTO RIVERA
FIRE CHIEF



CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
J. ALEXANDRO LOZANO, DISTRICT 3
MELINA CASTRO, DISTRICT 4
PRESI ORTEGA, JR., DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

FIRE DEPARTMENT

MEMORANDUM

To: Roberto Bustamante, Contract Compliance Specialist
From: Luis Uriel Flores, Fire Department Planner
Subject: Fire Station No. 20 Driveway Improvements
Date: September 19, 2005

The Fire Department recommends in favor of the lowest responsible, responsive bidder.

BXW Builders, Their Bid \$79,250.00

Please feel free to contact me should you need further assistance relating to this matter.
Thank you

Luis Uriel Flores, Planner
El Paso Fire Department

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RECOMMENDATION

JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER



CITY COUNCIL

ANN MORGAN LILLY, DISTRICT 1
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BETO O'ROURKE, DISTRICT 8

ENGINEERING DEPARTMENT

September 19, 2005

TO: Roberto Bustamante, Contract Compliance Specialist

FROM: Johanes Makahaube, P.E., Project Manager

CC: Javier Reyes, P.E., Program Manager

SUBJECT: Fire Station No. 20 Driveway Improvements
Solicitation No. -2005-280, Re-bid Date September 19, 2005

We have reviewed the bid tabulations for the above-mentioned project and recommend that the project be awarded to the lowest bidder, BXW Rebuilders, 42020 A. Hayes, El Paso, Texas 79930, at the amount of \$79,250.00

If you have any questions please contact me at extension 4013.

JOHN F. COOK
MAYOR

JOYCE WILSON
CITY MANAGER



CITY COUNCIL

ANN MORGAN LILLY
DISTRICT NO. 1

SUSIE BYRD
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO
DISTRICT NO. 3

MELINA CASTRO
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DISTRICT NO. 6

STEVE ORTEGA
DISTRICT NO. 7

BETO O'ROURKE
DISTRICT NO. 8

September 19, 2005

BXW Electrical Rebuilders, Inc.
Bertha Wolff, President

El Paso, Texas

RE: Fire Station No. 20 Driveway Improvements, Contract No. 2005-280

Dear Mrs. Wolff:

This is your official Notice that you are the successful bidder on the above referenced project. Accordingly, on September 19, 2005, Engineering & Fire Department awarded this contract to BXW Electrical Rebuilders, Inc., to perform emergency work needed on Fire Station No. 20 driveway, your bid award is as follows: Base Bid \$79,250.00.

Enclosed are two (2) copies each of the contract and associated documents for completion, signature and return to the Purchasing Department - Construction Bidding Office. Please refer to the enclosed "Instructions for Executing Contract" and return two (2) completed, original sets of all the documents within the time frame indicated below. Upon delivery of the aforementioned compliant documents, and upon signature by the City Manager, a Pre-Construction Conference will be scheduled, a Notice to Proceed and Purchase Order issued, and a fully executed contract document will be delivered to you.

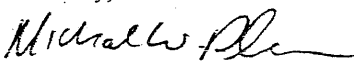
The time period for executing and delivering the contracts and required documents is **ten (10) consecutive calendar days**. Your attention is directed to Information to Bidders, Section 9, **LIQUIDATED DAMAGES FOR FAILURE TO ENTER INTO CONTRACT**: "The successful Bidder, upon his failure or refusal to execute and deliver the contract, insurance certificates and bonds required herein within ten (10) consecutive calendar days after he has received notice of the acceptance of his bid, shall forfeit to the Owner, as liquidated damages for such failure or refusal, the security deposited with his bid." **The deadline to return the contract documents is September 29, 2005.**

The Contract Compliance Specialist assigned to this project is Roberto Bustamante. He will assist you with any questions you may have and assure that the terms of the Contract are met. You can reach him at 915-541-4521. Please return the documents referenced above, your subcontractor listing, and Apprenticeship Certifications, if applicable, to his attention.

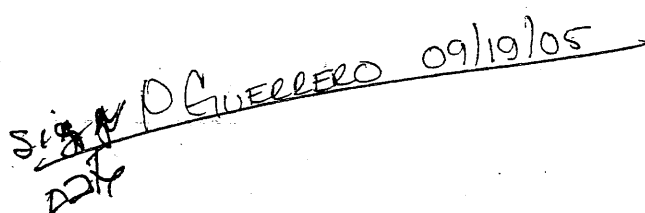
You may submit shop drawings and other submittals to the attention of the City of El Paso Construction Engineering Section Chief, Javier Reyes, P. E., 2 Civic Center Plaza, El Paso, Texas 79901-1196.

Please note, Contract No. 2005-280 must be shown on all payment requests and correspondence. The City of El Paso looks forward to working with you on this Contract.

Sincerely,


Michael W. Plum
Administrative Analyst

Enclosures

 09/19/05
P. GUERRERO
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